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April 4, 2007

VIA FEDERAL EXPRESS

Mr. Charles L.A. Terreni
Chief Clerk/Administrator
SC Public Service Commission
101 Executive Center Dr., Ste. 100
Columbia, SC 29210
(803) 896-5100

RECEIVED
2007 APR -5 AM 10:18
SC PUBLIC SERVICE
COMMISSION
COLUMBIA, SC
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Re: Pulse Telecom LLC
Docket No. 2007-89-C

Dear Mr. Terreni:

Enclosed please find for filing an original and twenty-five (25) copies of the company's pre-filed testimony. The company does not intend to engage in telemarketing in the State of South Carolina.

I have enclosed an extra copy of this letter to be date-stamped and returned to me in the self-addressed, postage prepaid envelope I have provided.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,

Charlotte Lacey

Charlotte Lacey
Legal Assistant to Lance J.M. Steinhart
Attorney for Pulse Telecom LLC

Enclosures

RETURN DATE: *OK D. Duke*
SERVICE: *OK D. Duke*

South Carolina Public Service Commission
April 4, 2007
Page 2

cc: Marius Malai (w/enc)

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**BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-89-C**

RECEIVED
2007 APR -5 AM 10:18
SC PUBLIC SERVICE COMMISSION

**IN RE: APPLICATION OF
PULSE TELECOM LLC
AUTHORITY TO OPERATE AS A
RESELLER OF INTEREXCHANGE
TELECOMMUNICATION SERVICES
WITHIN THE STATE OF
SOUTH CAROLINA**

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**DIRECT TESTIMONY
OF MARIUS MALAI**

I. Introduction

- 1 1. **Q. Please state your name and business address.**
- 2 A. My name is Marius Malai. My business address is 301 South 13th Street, Suite 500,
- 3 Lincoln, Nebraska 68508.
- 4 2. **Q. By whom are you employed and in what capacity?**
- 5 A. I am Director of Pulse Telecom LLC ("Pulse").
- 6 3. **Q. Please give a brief description of your background and experience in business**
- 7 **and telecommunications.**
- 8 A. My background and experience, as well as other members of the management team
- 9 of Pulse, is set forth in Attachment 4 to our application.

1 4. **Q. What is the purpose of your testimony?**

2 A. The purpose of my testimony is to describe the nature of Pulse's proposed service
3 offering within the State of South Carolina, and to demonstrate its financial,
4 managerial, and technical ability to provide the telecommunications services for
5 which authority is sought herein.

6 5. **Q. Do you wish to incorporate by reference any documents into your testimony?**

7 A. Yes. I wish to incorporate by reference the underlying Application filed in this
8 proceeding and its associated attachments.

9 **II. The Business of Pulse**

10 6. **Q. Has Pulse registered to do business in South Carolina?**

11 A. Yes. Pulse is a Delaware Limited Liability Company that has received authorization
12 to transact business within the State of South Carolina. A copy of Pulse's Certificate
13 of Formation is attached to the Application as Attachment "1" and a copy of the
14 document of authorization from the State of South Carolina is attached to that
15 Application as Attachment "2".

1 7. **Q. Please describe the services Pulse intends to provide within the State of South**
2 **Carolina.**

3 A. Pulse seeks authority to operate as a reseller of intraLATA and interLATA intrastate
4 telecommunications services to the public on a statewide basis. Pulse seeks
5 authority to offer on a resale basis within South Carolina intrastate, interLATA and,
6 to the extent authorized by the Commission, intraLATA direct-dialed services
7 including (1+) service, flat rate service, 800 inbound service and travel cards. Pulse
8 seeks statewide authority to provide intraLATA services authorized by the
9 Commission in Docket Nos. 92-182-C, 92-183-C, and 92-200-C. Pulse has no
10 plans at this time to construct any telecommunications transmission facilities of its
11 own and seeks no construction authority. Pulse will operate exclusively as a
12 reseller. Pulse intends to engage in "switchless" resale. Pulse will arrange for
13 the traffic of underlying subscribers to be routed directly over the networks of
14 Applicant's network providers.

15 8. **Q. What carrier will Pulse utilize as its underlying carriers for services in South**
16 **Carolina?**

17 A. Pulse intends to utilize Global Crossing Bandwidth, Inc. as its underlying carriers.
18 Pulse will choose its underlying carriers based upon the quality of service of the
19 carrier properly certified by the Commission to provide such service.

- 1 9. Q. Does Pulse currently provide intrastate telecommunications services in any
2 other state?
- 3 A. Yes. Pulse is currently authorized to provide these services in the following states:
4 Arkansas, Colorado, Florida, Idaho, Indiana, Iowa, Kentucky, Louisiana,
5 Massachusetts, Michigan, Minnesota, Missouri, Montana, New Hampshire, New
6 Jersey, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island,
7 Texas, Utah, Vermont, Virginia, Washington and Wisconsin.
- 8 10. Q. Has Pulse ever had an application for a certificate of public convenience and
9 necessity denied?
- 10 A. No.
- 11 11. Q. Does Pulse intend to file a tariff with the Commission?
- 12 A. Yes. Pulse filed a tariff along with its Application in this proceeding which it will
13 modify as necessary in order to meet the Commission's requirements. We believe
14 Pulse's Tariff will comport with all Orders, Rules, and Regulations of the
15 Commission.
- 16 12. Q. Will Pulse comply with the Commission's orders regarding the resale of
17 interexchange carrier services?
- 18 A. Yes. Pulse will at all times provide and market interexchange carrier services in
19 accordance with current Commission policies. In addition, Pulse at all times will
20 provide interstate services in compliance with all FCC rules and regulations.

1 13. Q. Has Pulse provided any intrastate telecommunications services within the State
2 of South Carolina?

3 A. No it has not.

4 14. Q. What rates will Pulse charge upon receipt of certification?

5 A. Pulse will charge the tariffed rates approved by the Commission.

6 15. Q. How will Pulse market services in South Carolina?

7 A. Pulse intends to market its services via direct sales by Pulse's employees and
8 independent sales agents.

9 III. Managerial, Technical and Financial Qualifications

10 16. Q. Does Pulse have sufficient managerial, technical, and financial resources and
11 ability to provide the telecommunications services proposed in its Application?

12 A. Yes. Pulse has sufficient technical, financial, and managerial resources and ability to
13 provide the telecommunications services for which authority is sought herein.
14 Pulse's personnel represent a broad spectrum of business and technical disciplines,
15 possessing many years of individual and aggregate telecommunications experience.

16 My qualifications and experience are discussed on Attachment 4 to our
17 application, which attachment also supports Applicant's managerial and technical
18 ability to provide the services for which authority is sought herein.

1 17. **Q. How does Pulse handle customer service requests?**

2 A. Pulse's customer service department handles all such requests. Pulse can be reached
3 by toll free number.

4 18. **Q. Please describe the financial condition of Pulse.**

5 A. In support of Pulse's financial ability to provide the services sought herein, Pulse's
6 Balance Sheet and Income Statement as of December 31, 2006 was submitted as
7 Attachment 5 to the Application.

8 IV. Public Interest
9

10 19. **Q. How will residents of South Carolina benefit from Pulse's services and**
11 **presence in South Carolina?**

12 A. Commission approval should bring the following long-term benefits to telephone
13 users:

- 14 (1) More competition, additional services and a better product at competitive
15 prices;
16 (2) Increased consumer choice as well as innovative telecommunications
17 services;
18 (3) Efficient use of existing communications resources as well as increased
19 diversification and reliability of supply of communications services;
20 (4) Development of an expanded telecommunications supply industry in South
21 Carolina;

1 (5) An expanded tax base and revenue source for the State of South Carolina;
2 and,

3 (6) Additional sources of revenues for Local Exchange Companies through
4 access charges and billing and collection fees.

5 20. Q. **Has the Company ever been the subject of an investigation by any state**
6 **Regulatory body or by the FCC?**

7 A. No.

8 21. Q. **Will the Company agree to abide by and comply with the Commissions**
9 **Rules and Regulations and Commission Orders in its operations in South**
10 **Carolina?**

11 A. Yes.

12 22. Q. **Does this conclude your testimony?**

13 A. Yes. I would like to thank the Commission for this opportunity to provide
14 information relevant to Pulse's Application and am ready to provide any additional
15 information that the Commission may need in making its decision.
16